



PATENT
Customer No. 22,852
Attorney Docket No. 04012.0384

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)
Lukas-Laskey et al.) Group Art Unit: 1614
Application No. 10/721,022) Examiner: Not Yet Assigned
Original Patent No. 5,902,821)
Original Issue Date: May 11, 1999)
Reissue Filed: November 25, 2003)
For: USE OF CARBAZOLE)
COMPOUNDS FOR THE)
TREATMENT OF CONGESTIVE)
HEART FAILURE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL REISSUE DECLARATION UNDER 37 C.F.R. §§ 1.172 and 1.175

I, Stephen A. Venetianer, a citizen of the United States of America, declare as follows:

1. I am authorized to act on behalf of the following assignee: SB PHARMCO PUERTO RICO INC. U.S. Patent No. 5,902,821, is assigned to SB PHARMCO PUERTO RICO INC. as assignee of the entire right, title and interest in said patent by virtue of an assignment from Roche Therapeutics Inc. to SB PHARMCO PUERTO RICO INC., recorded on September 16, 2003, at Reel 013974, Frame 0463.

2. The title of my position is Vice President, Pharmaceutical Patents.

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3. The entire title to the patent identified below is vested in SB PHARMCO
PUERTO RICO INC.

<u>Name of Patentees</u>	
Mary Ann Lukas-Laskey; Robert Ruffolo, Jr.; Neil Howard Shusterman; Gisbert Sponer; Klaus Stein	
<u>Patent Number</u>	<u>Date of Issued Patent</u>
5,902,821	May 11, 1999
<u>Title of Invention</u>	
USE OF CARBAZOLE COMPOUNDS FOR THE TREATMENT OF CONGESTIVE HEART FAILURE	

4. I believe these patentees are the original, first and joint inventors of the subject matter which is described and claimed in United States Patent No. 5,902,821, granted on May 11, 1999, and for which a reissue patent is sought on the invention entitled, "USE OF CARBAZOLE COMPOUNDS FOR THE TREATMENT OF CONGESTIVE HEART FAILURE," the specification of which was filed on November 25, 2003, as Reissue Application No. 10/721,022 and was amended on November 25, 2003, and was further amended by an After Final Amendment filed concurrently herewith.

5. I have reviewed and understand the contents of the above-identified specification, including the original patent claims, and the claims as amended by any amendment referred to above.

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6. I acknowledge the duty to disclose information that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

7. I hereby claim the benefit under 35 U.S.C. § 119(a) of the foreign application DE 195 03 995 filed in the Fed. Rep. of Germany on February 8, 1995. A certified copy of this application is of record in the file of U.S. Patent Application No. 08/875,603, which gave rise to U.S. Patent No. 5,902,821.

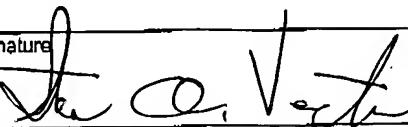
8. I believe that U.S. Patent No. 5,902,821 is at least partially inoperative or invalid by reason of the patentees claiming more or less than they had a right to claim.

9. The error upon which reissue is based is the failure of U.S. Patent No. 5,902,821 to recite in the preamble of claim 1 that the method is "A method of decreasing a risk of mortality caused by congestive heart failure in a patient in need of such decrease . . ."

10. The above-described error and all other errors corrected in this reissue application arose without any deceptive intent on the part of the applicants.

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of person signing		
Stephen A. Venetianer		
Signature	Date	
	September 12, 2005	
Address of Assignee		
105 Ponce de Leon Avenue, Hato Rey, Puerto Rico 00917		
First Joint Inventor Mary Ann Lukas-Laskey	Residence 1019 Great Spring Rd. Rosemont, PA 19010 USA	Citizenship USA
Second Joint Inventor Robert Ruffolo, Jr	Residence 725 Pughtown Rd Spring Ct, PA 19475 USA	Citizenship USA
Third Joint Inventor Neil Howard Shusterman	Residence 451 Ballytore Rd Wynnewood, PA 19096 USA	Citizenship USA
Fourth Joint Inventor Gisbert Sponer	Residence Lessingstrasse 13 D-69514 Laudenbach, Germany	Citizenship German
Fifth Joint Inventor Klaus Strein	Residence Eichenstrasse 45 D-69503 Hemsbach, Germany	Citizenship German



Supplemental Application Data Sheet

Inventor Information

Inventor One Given Name::	Mary Ann
Family Name::	LUKAS-LASKEY
Postal Address Line One::	1019 Great Spring Road
City::	Rosemont
State or Province::	Pennsylvania
Postal or Zip Code::	19010
Citizenship Country::	United States of America
Inventor Two Given Name::	Robert
Family Name::	RUFFOLO, Jr.
Postal Address Line One::	725 Pughtown Road
City::	Spring City
State or Province::	Pennsylvania
Postal or Zip Code::	19475
Citizenship Country::	United States of America
Inventor Three Given Name::	Neil Howard
Family Name::	Shusterman
Postal Address Line One::	451 Ballytore Road
City::	Wynnewood
State or Province::	Pennsylvania
Postal or Zip Code::	19096
Citizenship Country::	United States of America
Inventor Four Given Name::	Gisbert
Family Name::	Spooner
Postal Address Line One::	Lessingstrasse 13
City::	Laudenbach
State or Province::	Germany
Postal or Zip Code::	D-69514
Citizenship Country::	Germany
Inventor Five Given Name::	Klaus
Family Name::	Strein
Postal Address Line One::	Eichenstrasse 45
City::	Hemsbach
State or Province::	Germany
Postal or Zip Code::	D-69503
Citizenship Country::	Germany

Correspondence Information

Name Line One:: Mark J. Feldstein
Name Line Two:: FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
Correspondence Customer No.: 22,852
Telephone One:: (202) 408-4092
Fax:: (202) 408-4400
Electronic Mail:: mark.feldstein@finnegan.com

Application Information

Title Line One:: Use of Carbazole Compounds for the Treatment
Title Line Two:: of Congestive Heart Failure
Total Drawing Sheets:: 0
Formal Drawings?:: N/A
Application Type:: Reissue
Docket Number:: 04012.0384-00000

Representative Information

Representative Customer Number:: 22,852

Prior Foreign Applications

Foreign Application One:: DE 195 03 995
Filing Date:: ~~February 8, 1985~~ February 8, 1995
Country:: Germany
Priority Claimed:: Yes